

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**PEGGY WOODARD**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 2:19-cv-32-KS-MTP**

**LAWRENCE COUNTY JUSTICE COURT**

**DEFENDANT**

**ORDER**

THIS MATTER is before the Court on Defendant Lawrence County Justice Court's Motion [18] to Compel. On August 2, 2019, Defendant served Interrogatories and Request for Production of Documents on Plaintiff. *See* [15] [16]. On August 28, 2019, Plaintiff, proceeding *pro se*, requested a fifteen-day extension, which Defendant did not oppose. This made the responses due on September 20, 2019.

On September 17, 2019, attorney John C. Hall entered an appearance on behalf of Plaintiff. Counsel for Defendant submits that he emailed the Interrogatories and Request for Production of Documents to Mr. Hall that same day. The responses were not forthcoming, so defense counsel sent a good faith letter to plaintiff's counsel on October 7, 2019, which did not resolve the issue.

On October 21, 2019, the discovery responses were still outstanding, and the Court conducted a discovery conference with the parties. The issue was not resolved, and the Court permitted Defendant to proceed with filing a discovery motion. October 21, 2019, Text Only Order.

Plaintiff has not responded to the Motion [18] to Compel and the record reflects that she has not responded to the outstanding discovery requests. Plaintiff was required to respond to the motion within fourteen days. L.U. Civ. R. 7(b)(4). "If a party fails to respond to any motion,

other than a dispositive motion, within the time allotted, the court may grant the motion as unopposed.” L.U. Civ. R. 7(b)(3)(E). Additionally, a party’s failure to respond to discovery requests may result in a waiver of its objections, unless the Court excuses that failure for good cause. *See In re United States*, 864 F.2d 1153, 1156 (5th Cir. 1989). Because Plaintiff failed to respond to the motion or show good cause, the Court may grant it as unopposed.

IT IS, THEREFORE, ORDERED that Defendant’s Motion [18] to Compel is GRANTED. Plaintiff shall respond to the outstanding Interrogatories and Request for Production and produce the requested records on or before **November 12, 2019**. Plaintiff shall respond to these discovery requests without objections except as to attorney-client privilege.

SO ORDERED, this the 5th day of November, 2019.

s/Michael T. Parker

United States Magistrate Judge